

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

-----X

ROBIN STEPHENS,

Plaintiff,

Case No. 07-CV-5614-VM

-against-

**CONSENT TO REMOVAL
AND NOTICE OF
REMOVAL**

**SHUTTLE ASSOCIATES, LLC.,
SUPERSHUTTLE INTERNATIONAL, INC.,
NEW YORK CITY TRANSIT AUTHORITY,
MANHATTAN AND BRONX SURFACE
TRANSIT OPERATING AUTHORITY and
“JOHN DOE,” NYCT BUS DRIVER**

Defendants.

-----X

Defendants SuperShuttle International, Inc., and Shuttle Associates, LLC (collectively, the “SuperShuttle Defendants”), by the undersigned, an attorney duly admitted to practice in the courts of the State of New York, consent to the removal of this action from the Supreme Court of the State of New York, County of New York to the United States District Court for the Southern District of New York.

The SuperShuttle Defendants further hereby join in removing this action from the Supreme Court of the State of New York for the County of New York (the “State Court”) to United States District Court for the Southern District of New York (“this Court”), and state the following grounds in support of removal:

1. Removal is proper under 28 U.S.C. §§ 1441(a), 1441(b), and 1446. The first sentence of § 1441(b) entitles the SuperShuttle Defendants to remove civil actions to this Court when the Court has “original jurisdiction founded on a claim or right arising under the Constitution, treaties or laws of the United States....”

2. This Court has original jurisdiction over this action because, among other things, the Amended Complaint purports to allege claims founded on professed violations of the Americans with Disabilities Act (42 U.S.C. § 12101 *et seq.*) and the Rehabilitation Act of 1974 (29 U.S.C. § 701). Since these claims, on their face, expressly arise under the laws of the United States, the jurisdiction of this Court is based on 28 U.S.C. § 1331, and this action is removable pursuant to 28 U.S.C. § 1441(b) (first sentence).

3. Pursuant to 28 U.S.C. § 1446, the SuperShuttle Defendants state that they were not served in the State Court action with any process, pleadings, or orders but that defendant SuperShuttle International, Inc. received a copy of the initial complaint and a request to accept service on or about June 4, 2007. These documents have been attached together to this notice as Exhibit A.

4. Since the SuperShuttle Defendants are filing this Consent to Remove and Notice of Removal within thirty days of receiving a copy of the complaint in the State Court, this Notice is timely pursuant to 28 U.S.C. § 1446(b).

Dated: Washington, D.C.
June 23, 2007

By s/Thomas Earl Patton
Thomas Patton (TP-6189)
Tighe Patton Armstrong & Teasdale
Attorneys for Defendant SuperShuttle
International, Inc.
1747 Pennsylvania Avenue, N.W.
Suite 300
Washington, D.C. 20006
(202) 454-2840